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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 UNITED STATES OF AMERICA,
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11 Plaintiff,
12 v.
13 ANTHONY WEIR,
14 Defendant.

Case No. CR18-108RSL

ORDER CONTINUING
TRIAL AND PRETRIAL
MOTIONS DATES

15 This matter comes before the Court on defendant Anthony Weir's "Unopposed Motion to
16 Continue Trial and Extend Pretrial Motion Deadline." Dkt. # 18. Having considered the facts set
17 forth in the motion, the defendant's knowing and voluntary waiver, and the remainder of the
18 record, the Court finds as follows:

19 1. The Court adopts the facts set forth in the motion. Specifically, that trial is
20 currently scheduled for July 9, 2018; that defendant is charged with possession of child
21 pornography in violation of 18 U.S.C. § 2252(a)(4)(B), (b)(2); that defendant has pleaded not
22 guilty; and that the defense needs to explore complex issues, including potential forensic
23 analysis of electronic devices.

24 2. The Court accordingly finds that a failure to grant a continuance would deny
25 counsel the reasonable time necessary for effective preparation, taking into account the exercise
26 of due diligence, within the meaning of 18 U.S.C. § 3161(h)(7)(B)(iv).

27 3. The Court finds that a failure to grant a continuance would likely result in a
28 miscarriage of justice, as set forth in 18 U.S.C. § 3161(h)(7)(B)(i).

4. The Court further finds that such a continuance would serve the ends of justice; that a continuance is necessary to ensure adequate time for defense investigation, effective trial preparation, and an opportunity for defendant to benefit from these efforts; and that these factors outweigh the best interests of the public and the defendant in a more speedy trial, within the meaning of 18 U.S.C. § 3161(h)(7)(A).

5. Defendant has signed a waiver indicating that he has been advised of his right to a speedy trial and that, after consulting with counsel, he has knowingly and voluntarily waived that right and consented to the continuation of his trial to a date up to and including November 27, 2018, Dkt. # 19, which will allow trial to begin on November 13, 2018, as requested.

IT IS HEREBY ORDERED that the trial date be continued from July 9, 2018 to November 13, 2018.

IT IS FURTHER ORDERED that the pretrial motions cutoff date be continued to October 12, 2018.

IT IS FURTHER ORDERED that the period of time from the current trial date of July 9, 2018, up to and including November 27, 2018, shall be excludable time pursuant to the Speedy Trial Act, 18 U.S.C. § 3161, *et seq.* The period of delay attributable to the filing and granting of this motion is excluded for speedy trial purposes pursuant to 18 U.S.C. §§ 3161(h)(1)(D), (h)(7)(A), and (h)(7)(B).

DATED this 18th day of June, 2018.

Robert S. Lasnik
Robert S. Lasnik
United States District Judge